

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

RUGH A. MASON and SHERRY L. MASON,	)	
husband and wife,	)	
Plaintiffs,	)	
	)	
vs	)	Civil Action No. 12-369
	)	
RANGE RESOURCES-APPALACHIA, LLC and	)	
NISOURCE ENERGY VENTURES, LLC,	)	
Defendants.	)	

ORDER

AND NOW, this 4th day of November, 2013, after the Plaintiffs, Rugh A. Mason and his wife, Sherry L. Mason, filed an action in the above-captioned case, and after a motion for partial summary judgment was submitted by Defendant Range Resources-Appalachia, LLC, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties a period of time after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation (Docket No. 46), which is adopted as the opinion of this Court,

IT IS ORDERED that the motion for partial summary judgment filed by Defendant Range Resources-Appalachia, LLC (ECF No. 40) is denied.

/s/ Joy Flowers Conti  
Joy Flowers Conti  
United States Chief District Judge

cc: Rugh A. Mason  
99 Buck Run Road  
Claysville, PA 15323